



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

Record of Commission Actions
Commissioners Voting by Ballot
Placed in the Record at Open Commission Meeting
July 16, 1997

At the July 16, 1997, meeting of the U.S. Consumer Product Safety Commission, the staff briefed the Commission on issues related to the Commission budget for fiscal year 1999. (Ref: staff briefing package dated July 1, 1997.) No decisions were made.

Chairman Ann Brown convened today's meeting. Commissioners Mary Sheila Gall and Thomas H. Moore were present.

Ballot Vote Decisions. The following decisions made by ballot vote of the Commissioners were placed into the record.

1. Proposed Civil Penalty Settlement: The Toro Company, riding lawn mowers and yard tractors, CPSC Docket No. 97-C0006 (OS# 4375) (Ballot due 6/2/97)

The Commission voted unanimously (3-0) to provisionally accept the Settlement Agreement and Order containing a civil penalty in the amount of \$250,000. Unless a commenter asks the Commission not to accept the Settlement Agreement and Order within 15 days after publication in the Federal Register, the Agreement and Order will be deemed finally accepted on the 16th day.

2. Proposed Civil Penalty Settlement: One Price Clothing Stores, chiffon skirts and scarves, CPSC Docket No. 97-C0007 (OS# 3105) (Ballot due 6/2/97)

The Commission voted unanimously (3-0) to provisionally accept the Settlement Agreement and Order containing a civil penalty in the amount of \$50,000. Unless a commenter asks the Commission not to accept the Settlement Agreement and Order within 15 days after publication in the Federal Register, the Agreement and Order will be deemed finally accepted on the 20th day.

3. Federal Register Notice Removing 16 CFR Part 1017 (Ballot due 6/25/97)

The Commission voted unanimously (3-0) to approve the Federal Register notice announcing the removal of 16 CFR Part 1017 on Procedures for Safeguarding Confidential Business Information Received from EPA.

4. ATV Exposure Survey (Ballot due 6/30/97)

The Commission voted unanimously (3-0) to approve a Federal Register notice and supporting statement announcing the submission of required material to the Office of Management and Budget (OMB) in support of the Commission's proposed ATV exposure survey. The Federal Register notice invites interested parties to submit comments to both OMB and CPSC on the request for OMB approval of the survey.

5. Proposed Civil Penalty Settlement: Dots, Inc., chiffon skirts and fleece sweatshirts, CPSC Docket No. 97-C0008 (OS# 3258) (Ballot due 7/3/97)

The Commission voted unanimously (3-0) to provisionally accept the Settlement Agreement and Order containing a civil penalty in the amount of \$50,000. Unless a commenter asks the Commission not to accept the Settlement Agreement and Order within 15 days after publication in the Federal Register, the Agreement and Order will be deemed finally accepted on the 20th day.

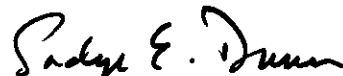
6. Proposed Civil Penalty Settlement: CSA, Inc., a rider-type exercise product, CPSC Docket No. 97-C0009 (OS# 5643) (Ballot due 7/7/97)

The Commission voted unanimously (3-0) to provisionally accept the Settlement Agreement and Order containing a civil penalty in the amount of \$100,000. Unless a commenter asks the Commission not to accept the Settlement Agreement and Order within 15 days after publication in the Federal Register, the Agreement and Order will be deemed finally accepted on the 16th day.

7. Request for an Extension Until September 1, 1997, of the Comment Period on the Child-Resistant Packaging Requirements for Products Containing Petroleum Distillates and Other Hydrocarbons (Ballot due 7/10/97)

The Commission voted unanimously (3-0) to grant the request from the Cosmetic, Toiletry, and Fragrance Association for an extension until September 1, 1997, of the comment period on the advance notice of proposed rulemaking for child-resistant packaging requirements for products containing petroleum distillates and other hydrocarbons, and to approve the Federal Register notice announcing the extension of the comment period.

For the Commission:



Sadye E. Dunn, Secretary

News from CPSC

*Ballot 6/2/97
Info Rec'd 7/16/97*

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release

July 14, 1997

Release # 97-156

Contact: Melvin Kramer

(301) 504-0626 Ext. 1347

Toro to Pay \$250,000 Civil Penalty

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission (CPSC) announced today that The Toro Co. of Bloomington, Minn., has agreed to pay a civil penalty of \$250,000 to settle allegations that it violated the U.S. Consumer Product Safety Act by failing to report defects with certain riding lawn mowers and yard/garden tractors.

CPSC alleges that Toro failed to report that its 1986 through 1988 models 51638, 56145, 56150, 56155, 56170 and 56175 riding lawn mowers had defective rear wheel axle bolts that could break, preventing the rider from stopping the mower. Toro knew of seven incidents of axle bolt failure over a period of several years before CPSC learned of the problem in 1995. Toro had sold about 81,000 of these mowers between 1986 and 1988.

In addition, CPSC alleges that Toro failed to report in a timely manner that its model 264-6 Wheel Horse and its Ford and New Holland brand LS 25 and 45 yard/garden tractors had defective brakes that could fail suddenly and without warning, preventing the rider from stopping the tractor. Toro knew of 24 incidents of brake failure over a 2-year period before reporting the defect to CPSC in 1996. Toro had sold about 6,500 of these tractors between January 1994 and May 1996.

In agreeing to settle this matter, Toro denies that these mowers and tractors were defective or unreasonably dangerous. Toro also denies that it knowingly violated the reporting requirements of the U.S. Consumer Product Safety Act.

The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury and for information on CPSC's fax-on-demand service, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270. To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov> or via Internet gopher services at cpsc.gov. Consumers can report product hazards to info@cpsc.gov.

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News from CPSC

*Ballot 7/7/97
Info Record 7/16/97*

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release

August 4, 1997

Release # 97-168

Contact: Melvin Kramer

(301) 504-0626 Ext. 1347

CSA to Pay \$100,000 Civil Penalty

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission (CPSC) announced today that CSA Inc. of South Easton, Mass., has agreed to pay a civil penalty of \$100,000 to settle allegations that it violated the Consumer Product Safety Act by failing to report a defect with its E-Force Cross Trainer exercise machines.

CPSC alleges that CSA failed to report that its E-Force Cross Trainer, which it sold from February 1995 through April 1996, had defective welds that could break suddenly and without warning, causing the user to fall and be injured. CPSC alleges that CSA knew of at least 54 incidents of weld failure, many of which resulted in personal injuries to the user, before it reported to CPSC on April 18, 1996. CSA had imported and sold about 300,000 of these defective products before reporting to CPSC.

In agreeing to settle this matter, CSA Inc. denies that this product was defective or unreasonably dangerous. CSA also denies that it knowingly violated the reporting requirements of the Consumer Product Safety Act.

The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury and for information on CPSC's fax-on-demand service, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270. To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov> or via Internet gopher services at cpsc.gov. Consumers can report product hazards to info@cpsc.gov.

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